

REMARKS

This Amendment is being filed in response to the Office Action dated September 5, 2007. Claims 12-22 are currently pending in the application, all of which stand rejected. Of these, claims 12 and 16 are independent. By this Amendment, claim 12 is amended solely for clarification and not to narrow or limit the scope of the claim in any way. No new matter has been added. Accordingly, claims 12-22 remain pending in this application and are in condition for allowance. Applicant respectfully requests reconsideration in light of the amendments and comments set forth herein.

Objection to the claims

In the Office Action, claim 12 is objected as being unclear with respect to “cast” and “cast forming gauze.” Applicants hereby amend claim 12 to clarify that the “cast forming gauze” solidifies to form the “cast.” More specifically, claim 12 has been amended to recite “cutting the cast proximate the spacer” after “wherein the cast forming gauze solidifies to form a cast” to clarify that the “cast” being cut is the cast formed when the cast forming gauze solidifies. Accordingly, Applicants respectfully submit that claim 12 is clear and respectfully request withdrawal of the objection.

Rejection under 35 U.S.C. §103

Claims 12-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,571,208 to Caspers (“Caspers”) in view of U.S. Patent No. 5,830,237 to Kania (“Kania”) and U.S. Patent No. 6,368,357 to Schon et al. (“Schon”) and Application Publication No. 2003/0114783 to Vanden (“Vanden”).

Applicants respectfully submit that Caspers is directed to creating a negative mold using a liner and a casting sock and a plaster wrap, then filling the negative mold with plaster to

form a positive mold. The liner that is wrapped around the limb does not form a cast on the limb as claimed herein. Rather, Caspers, which is directed toward wrapping the limb to create a positive mold teaches away from the invention as claimed.

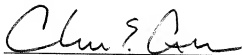
Additionally, Caspers does not disclose or suggest placing a spacer around the residual limb prior to applying the cast forming gauze as claimed. Rather, reference number 42 that the Examiner refers to is the casting sock that is placed on the limb. Furthermore, the negative mold created in Caspers is not “cut” proximate the casting sock. Rather, the plaster wrap is adhered to the sock which collectively form the negative mold, which is removed from the limb. The negative mold is not “cut” proximate the top of the casting sock. Accordingly, Caspers fails to teach or suggest a spacer, and further fails to teach or suggest “placing a spacer around the perimeter of the limb prior to applying the cast forming gauze” and “cutting the cast proximate the spacer” as claimed.

Applicants respectfully submit that Vanden, Kania and Schon fail to cure the deficiencies of Caspers and thus Caspers in view of Vanden, Kania and Schon fails to teach or suggest the invention as claimed. More specifically, Vanden also fails to teach or suggest placing a spacer around the limb prior to applying the cast forming gauze. Rather, Vanden is directed to an orthopedic device for persons with hand or wrist dysfunction, wherein the device permits the user to utilize hand-held tools. Vanden is directed to creating a mold and cutting it into two clam shells connected by a hinge. Vanden does not disclose or suggest placing a spacer around the limb prior to applying the cast forming material and cutting the cast proximate the spacer. Likewise, Kania and Schon also fail to teach or suggest placing a spacer around the limb prior to applying the cast forming material and cutting the cast proximate the spacer as claimed. Moreover, the cited references are not directed toward the same objectives as the claimed

invention. Accordingly, Applicants respectfully submit that the Examiner has failed to demonstrate a likelihood of success of one of ordinary skill in the art achieving the claimed invention by combining and modifying Caspers, Vanden, Kania and Schon. At least for the reasons set forth above, Applicants respectfully submit that Caspers, Vanden, Kania and Schon, either taken alone or in combination fails to teach or suggest the invention as claimed.

No fee other than the two-month extension of time submitted herewith is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, the Examiner is hereby authorized to charge the amount of such fee to Deposit Account No. 19-4709.

Respectfully submitted,



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